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Finland: Further investigation into USA rendition flights needed

Amnesty International has called on the government of Finland to conduct a full and effective investigation into its role in the US-led rendition programme in light of flight data disclosed by the Finnish authorities in October and November.

On 28 October and 3 November 2011, the Finnish Ministry of Foreign Affairs released information suggesting that Finland was actively incorporated into the US Central Intelligence Agency's (CIA) rendition and secret detention programmes. The flight data that was released indicate a number of possible rendition flights into and out of Finland between 2001 and 2006. Though Amnesty International welcomes the disclosure of this information, questions as to Finland's involvement in renditions remain unanswered. There is now a pressing need for Finland to conduct an independent, impartial, thorough and effective investigation into the precise nature of its involvement in these operations.

In September 2011, Amnesty International submitted to the government new evidence of several aircraft landings in Finland connected to the CIA's rendition programme and requested that the government provide information about a number of additional aircraft.

Following the release of the information by the Finnish Ministry of Foreign Affairs, it claimed that all but one of the flights in the data set were "civilian" in nature, that is, operated by private companies and not by state entities or, at the behest of the US government. According to the Finnish authorities, those aircraft were not connected to unlawful activity by the USA or any other state. With respect to the one flight designated as a "state" aircraft – a December 2002 round-trip, Helsinki to Manas Air Force Base, Kyrgyzstan to Helsinki – the Finnish authorities have stated that they will be seeking additional information from the US.

The distinction between 'civilian' and 'state' aircraft in the rendition context is a patently false one. It is well-documented and widely acknowledged that the CIA contracted with private carriers – a number of which appear in the released data – to conduct renditions. There is clear evidence that the CIA purposely hid its covert rendition operations behind a number of civilian aviation companies, precisely in an attempt to obscure the fact that the aircraft were on missions to transfer alleged terrorism suspects in the context of the global counter-terrorism operations of the US government.

Amnesty International therefore calls on the Finnish government to acknowledge that while many aircraft that operated in the CIA rendition and secret detention programmes were from fleets in private companies, they were under contract to the US government. As such, the aircrafts' crews served as agents of the US government and the rendition flights they conducted were official missions of the US government. Thus, any flight in the data sets released by the Finnish Ministry of Foreign Affairs suspected to have been conducted in the context of the US rendition programme must be investigated further as a matter of urgency.

Having carefully examined the flight data, it is clear that more than one flight gives rise to concern about possible Finnish involvement in rendition. These flights include, but are not limited to, the following:

- A 25 March 2006 flight, aircraft tail number N733MA, that supposedly landed in Helsinki on the same date that the Lithuanian authorities acknowledge the aircraft landed in Lithuania. The Lithuanian government has also acknowledged that Lithuania had hosted two secret CIA prisons that had been prepared to house detainees. The plane originated in Porto, Portugal and, according to the Finnish data set, arrived in Helsinki at 20.37. No departure time or destination is documented, nor is there any billing information provided. The Finnish government has stated in press reports that this plane actually never landed in Finland. November 2009 press reports quoted an unnamed former CIA official saying that pilots flying into Lithuania had submitted flight plans for landings in neighbouring countries (so-called “dummy” flight plans) and that Finland and Poland were used most frequently;
- A May 2003 flight, aircraft tail number N8213G, from Frankfurt to Helsinki. The Finnish Ministry of Defence stated in a press release on 25 November 2005 that the aircraft had landed in Helsinki on 16 May at 16.30, that it was operated by Prescott Support and that it carried 10 crew members and cargo for the US Embassy. However, according to the newly released data set, the plane landed in Helsinki at 13.46, the amount of cargo is zero and the flight was billed to the US Air Force;
- A September 2004 flight, aircraft tail number N88ZL, from Bagram, Afghanistan, to Finland, landing in Helsinki at 13.18 and departing for Washington, DC the next morning at approximately 05.00. The new data document 13 passengers aboard these flights and payment in cash. A 2010 United Nations study on secret detention stated that a plane travelling from Bagram had landed in Lithuania on 20 September. ABC News reported that the plane that landed in Lithuania had the tail number N88ZL;
- A July 2005 flight, aircraft tail number N1HC, from Kabul, Afghanistan to Helsinki. The working documents associated with the 2006 European Parliament report had identified the aircraft as connected to the rendition programme. The Finnish data indicates that the plane arrived from Kabul at 18.47 and then continued to Tulsa at 19.23. There is no entry for how the plane got from the US to Kabul, but open source information suggests the plane flew from Richmond, US to Baku, Azerbaijan and then onward to Helsinki via Kabul;
- A March 2004 flight, aircraft tail number N510MG, from Cleveland-Helsinki-Tunis-Helsinki shows the aircraft arriving in Helsinki from Cleveland on 8 March at 02.13 with no passengers and departing for Tunis at 03.31 with six passengers aboard. The aircraft arrives back in Helsinki on 11 March at 17.45 from Tunisia with eight passengers aboard and departs the same day to Cleveland at 18.45 with four passengers aboard. The flight from Tunis to Helsinki was paid for in cash but no company is listed in the billing data as having paid that money. OM Group is listed as the company billed for the other legs of the trip;
- Several other flights by N510MG to North African and Middle Eastern countries (Tunisia, Morocco, Egypt) where rendition victims are known to have been sent for incarceration and interrogation.

Each of these flights warrants further careful investigation by Finnish authorities to determine the full extent of the aircrafts’ involvement in rendition operations. In addition, in a letter to the Finnish Minister of Foreign Affairs, Erkki Tuomioja, Amnesty International has expressed concern that though the released data includes tail numbers for some aircraft linked to the US rendition programme critical information remains absent from the data set. Categories of information which were not provided in full include: the source of the data; complete flight path information; whether customs or border controls were conducted; detailed information as to the status of the flights and whether any special exemptions or authorisations were granted; and further passenger information, such as how many passengers were crew members and the identities of passengers who actually entered Finnish territory. Amnesty International has requested that this information be researched and released as soon as possible.

Questions must also be asked as to why this information was not released sooner. This is particularly pertinent in light of the fact that the disclosure comes years after requests were

lodged with the Finnish government by the Council of Europe and the European Parliament seeking information about possible Finnish involvement in the CIA rendition and secret detention programmes.

Amnesty International once again calls on the Finnish government to conduct a full and effective investigation of state involvement in the CIA's rendition and secret detention programmes. The data released thus far, although an important piece of the puzzle, does not satisfy Finland's legal obligation to investigate and can therefore only be seen as an initial stage in a detailed investigative process which must get to the truth and result in genuine accountability.

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